

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

CAPITAL ONE FINANCIAL CORPORATION,)	
)	
)	
Plaintiff,)	
)	Civil No. 1:11 CV 750 (LO/TRJ)
v.)	
JOHN A KANAS and)	
JOHN BOHLSSEN,)	
)	
Defendants.)	
)	

ORDER

Upon consideration of Defendants John A. Kanas and John Bohlsen's Motion for Leave to File Documents under Seal, the Court finds as follows:

1. Proper notice of this sealing motion has been given to the public through the public filing of this motion.
2. Defendants have submitted an exhibit designated as confidential pursuant to the Agreed Protective Order Without Sealing Provisions ("Agreed Protective Order") entered in the case on December 6, 2011. Dkt. Entry 20.
3. Pursuant to that Agreed Protective Order, Defendants have sought to file under seal any documents designated by Capital One Financial Corporation ("Capital One").
4. To support their Rebuttal Memorandum in Support of Motion of Defendants Kanas and Bohlsen for Summary Judgment ("Rebuttal Memorandum"), Defendants' have submitted the following exhibit and paper under seal: Exhibit 2 to the

Declaration of Stuart H. Singer, dated April 23, 2012 as well as certain portions of the Rebuttal Memorandum.

4. The Court, having considered Defendants' Motion for Leave to File Documents Under Seal, and having reviewed the sealed or redacted material *in camera*, finds that the exhibit and the information submitted by Defendants constitute confidential business information and should not be publicly disclosed in the judicial record.

5. To prevent misuse of Defendants' and Capital One's confidential information, sealing limited portions of the record and allowing redactions is appropriate. Accordingly, it is hereby

ORDERED that Defendants may file Exhibit 2 to the Declaration of Stuart H. Singer, dated April 23, 2012 as well as certain portions of the Rebuttal Memorandum under seal or in redacted form. Those sealed and redacted filings shall remain sealed unless and until the Court enters an order unsealing them.

Dated: 4/24/12



Honorable Liam O'Grady